IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 19th day of May 2005
Criminal Misc. Bail Application No. 445/2005
Order on the bail application of accused
CRIMINAL SIDE

Mohammed Hanif @ Nanhey
S/o Sri Banney Ahmed
R/o Gram Turka Tisor
P.S. Sitargunj
District Udham Singh Nagar …. Applicant

Versus

State of Uttaranchal ….Opposite Party

Arising out of case crime No. 371/2005
U/s 8(c) 18/20 NDPS Act.
P.S. Sitargunj
District Udham Singh Nagar.

Hon'ble J.C.S. Rawat, J.

Heard Sri B.S. Virk and Shri J.S. Virk learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. This is a case of recovery of 300 grams of Charas (contraband material), which is not a commercial quantity. The learned counsel for the applicant contended that the quantity, which has been recovered from the possession of the applicant is in between the small quantity and the commercial quantity. From the fact, there are reasonable grounds for believing that the applicant-accused is not guilty of such offence and that he is not likely to commit any such offence while on bail. Considering this, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the Special Judge, Udham Singh Nagar.

(J.C.S. Rawat, J.)

Dated 19.5.2005

S.J.